



THOMPSON BARNEY

2030 KANAWHA BOULEVARD, EAST
CHARLESTON, WEST VIRGINIA 25311
TELEPHONE: 304.343.4401
FACSIMILE: 304.343.4405

January 31, 2019

Paul T. Farrell, Jr., Esquire
Greene, Ketchum, Farrell, Bailey & Tweel, LLP
Post Office Box 2389
Huntington, West Virginia 25724-2389
paul@greeneketchum.com

VIA US MAIL AND EMAIL

**In re: National Prescription Opiate Litigation
USDC, NDOH, Case No. 1:17-md-2804**

Paul:

As you know, I am counsel for children born addicted to opioids in several state-wide class actions across the country (including West Virginia). Judge Polster ordered on November 8, 2018 (Doc. 1106) that the PEC make available reports derived from the ARCOS data that list for every county all manufacturers, distributors and pharmacies that make up over 5% of the opioid market share in that area so that non-Track One case can amend their complaints to reflect proper parties by March 16, 2019. Is it the position of the PEC that this order applies to non-governmental entities such as the baby classes? We would appreciate some clarity on this.

Either way, the classes I represent are state-wide and it would be most helpful to receive this ARCOS data at the state-wide level of analysis, as opposed to the county level data geared toward municipalities. Could you arrange to provide such reports for the state class actions that have been transferred to the MDL? Those states include West Virginia, Maryland, Louisiana, Tennessee, California, Missouri, Illinois, and Ohio.¹ My signed acknowledgment of the protective order is attached. Your assistance would be greatly appreciated.

Thank you for your efforts in getting the ARCOS data together and holding the opioid industry accountable, we look forward to working with you.

Sincerely,

Kevin W. Thompson

¹ If you are unable to provide the state-wide data, we would appreciate the county reports for: Mingo County, West Virginia; Nicholas County, West Virginia; Macoupin County, Illinois; Jefferson County, Missouri; Solano County, California; Fayette County, Tennessee; Baltimore County, Maryland; St. Tammany Parish, Louisiana; and Ross County, Ohio.

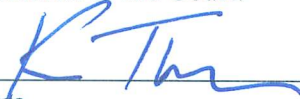
[Exhibit A]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)	MDL No. 2804
OPIATE LITIGATION)	
)	Case No. 17-MD-2804
THIS DOCUMENT RELATES TO:)	
ALL CASES)	Judge Dan Aaron Polster
)	
)	ACKNOWLEDGEMENT OF
)	PROTECTIVE ORDER AND
)	AGREEMENT TO BE BOUND

The undersigned hereby acknowledges that he/she has read the Protective Order entered in the above-captioned litigation, understands its terms, and agrees to be bound by its terms. The undersigned submits to the jurisdiction of the United States District Court for the Northern District of Ohio in matters relating to the Protective Order. The undersigned understands that the terms of the Protective Order obligate him/her to use documents designated as "CONFIDENTIAL – SUBJECT TO PROTECTIVE ORDER" solely for purposes of the above-captioned action or for law enforcement purposes, and that disclosure of any such documents to third-persons is prohibited except in accordance with the Protective Order or with permission of the Court.

Signature



Date

6/05/2018